Permit #: 28.1101-15

Effective Date: February 3, 2011

**Expiration Date: February 3, 2016** 

# SOUTH DAKOTA DEPARTMENT OF

# **ENVIRONMENT AND NATURAL RESOURCES**

MINOR AIR QUALITY PERMIT

Steven M Pirner, Secretary Department of Environment and Natural Resources

# **Under the South Dakota Air Pollution Control Regulations**

Pursuant to Chapter 34A-1-21 of the South Dakota Codified Laws and the Air Pollution Control Regulations of the State of South Dakota and in reliance on statements made by the owner designated below, a permit to operate is hereby issued by the Secretary of the Department of Environment and Natural Resources. This permit authorizes such owner to operate the source unit(s) at the location designated below and under the listed conditions.

#### A. Owner

- Company Name and Mailing Address
   American Colloid Company
   10881 US Hwy 212 West
   Belle Fourche, SD 57717
- 2. Actual Source Location if Different from Above 1 mile West of Belle Fourche, Highway 212
- 3. Permit Contact
  Tom Byrd, Environment, Health, and Safety
  (605) 892-2591
- 4. Facility Contact
  Same as above
- 5. Responsible Official
  Kevin Mudge, Plant Manager
  (605) 892-2591
- B. Permit Revisions or Modifications
  Not Applicable
- C. Type of Operation

  Bentonite clay processing

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#### 1.0 STANDARD CONDITIONS

1.1 Operation of source. In accordance with Administrative Rules of South Dakota (ARSD) 74:36:04:15(9), the owner or operator shall operate the units, controls, and processes as described in Table #1 and in accordance with the statements, representations, and supporting data contained in the complete permit application submitted and dated December 1, 2010, unless modified by the conditions of this permit. Except as otherwise provided herein, the control device in Table 1-1 shall be operated in a manner that achieves compliance with the conditions of this permit at all times. The application consists of the application forms, supporting data, and supplementary correspondence. If the owner or operator becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in an application, such information shall be promptly submitted.

Table 1-1 – Description of Permitted Units, Operations, and Processes

	1-1 – Description of 1 ermitted Onlis, Op 	Maximum	Control
Unit	Description	Operating Rate	Device
#8		<u>.</u>	
#0	BH-18 – Bulk bag loader (BB-7), new	The bulk bag loader	MikroPul pulse jet
	packer 3 bindicators (P-2), three	and new packer 3	baghouse, model #480S-
	packers (P-4), and surge bins (SB-2)	bindicators are rated	8, 480 bags, 24,000 dry
		at 20 tons per hour	standard cubic feet per
		each. The three	minute inlet air flow rate.
		packers and surge bin	
		are rated at 2 tons per	
		hour each.	
#12	<b>BH-43</b> – #2 and #3 side tank bin vents	The two side tanks bin	MikroPul pulse jet
	(T-10 and T-11)	vents are rated at 40	baghouse, model #240S-
		tons per hour per side	8, 240 bags, 16,740 dry
		tank.	standard cubic feet per
			minute inlet air flow rate.
#25	<b>BL-01</b> – 1980 Bethlehem steam boiler	Heat input rate is 7.3	Not applicable
	fired with natural gas.	million Btus per hour.	
#26	<b>BK-02</b> – Blaw-Knox dryer #2. Steam	Process rate is 350	Not applicable.
	provided by BL-01	pounds per hour	
#27	BK-03 – Blaw-Knox dryer #3. Steam	Process rate is 350	Not applicable.
	provided by BL-01	pounds per hour	
#28	WP-01 – 1987 Mikro ACM pulverizer	Process is 2 tons per	1980 MikroPul pulse jet
	specialty clay micro mill (MM-1) and	hour per unit.	baghouse, 100 bags,
	1980 Chantland specialty clay packer	1	6,500 dry standard cubic
	(BP-1).		feet per minute inlet air
	(/-		flow rate (Collects
			product from mill).
#29	WP-05 –1983 agglomerate dryer	Process rate is 12 tons	1983 MikroPul pulse jet
11 = 7	THE GE 1703 aggioinclate al yel	1100000 1400 15 12 10115	1705 Wilkiof at paiso jot

		Maximum	Control
Unit	Description	Operating Rate	Device
	(VBD-1). The dryer is fired with	per hour; but the	baghouse, 121 bags,
	natural gas.	blender limits the process rate to 2 tons	5,005 dry standard cubic feet per minute inlet air
		per hour. The heat	flow rate.
		input rating is 15	
		million Btus per hour.	

- **1.2 Duty to comply.** In accordance with ARSD 74:36:04:15(12), the owner or operator shall comply with the conditions of this permit. An owner or operator who knowingly makes a false statement in any record or report or who falsifies, tampers with, or renders inaccurate, any monitoring device or method is in violation of this permit. A violation of any condition in this permit is grounds for enforcement, reopening this permit, permit termination, or denial of a permit renewal application. The owner or operator, in an enforcement action, cannot use the defense that it would have been necessary to cease or reduce the permitted activity to maintain compliance. The owner or operator shall provide any information requested by the Secretary to determine compliance or whether cause exists for reopening or terminating this permit. This permit does not waive compliance with federal, state, or local laws and ordinances.
- 1.3 Property rights or exclusive privileges. In accordance with ARSD 74:36:04:15(12), the State's issuance of this permit, adoption of design criteria, and approval of plans and specifications does not convey any property rights of any sort, any exclusive privileges, any authorization to damage, injure or use any private property, any authority to invade personal rights, any authority to violate federal, state or local laws or regulations, or any taking, condemnation or use of eminent domain against any property owned by third parties. The State does not warrant the owner's or operator's compliance with this permit, design criteria, approved plans and specifications, and operation under this permit, will not cause damage, injury or use of private property, an invasion of personal rights, or violation of federal, state or local laws or regulations. The owner or operator is solely and severally liable for all damage, injury or use of private property, invasion of personal rights, infringement of federal, state or local laws and regulations, or taking or condemnation of property owned by third parties, which may result from actions taken under the permit.
- **1.4** Penalty for violating a permit condition. In accordance with South Dakota Codified Laws (SDCL) 34A-1-39 and 34A-1-47, a violation of a permit condition may subject the owner or operator to civil or criminal prosecution, a state penalty of not more than \$10,000 per day per violation, injunctive action, administrative permit action, and other remedies as provided by law.
- **1.5** <u>Inspection and entry.</u> In accordance with SDCL 34A-1-41, the owner or operator shall allow the Secretary, upon presentation of credentials, to:

- 1. Enter the premises where a regulated activity is located or where pertinent records are stored;
- 2. Have access to and copy any records that are required under this permit;
- 3. Inspect operations regulated under this permit; and/or
- 4. Sample or monitor any substances or parameters for the purpose of assuring compliance.
- **1.6** Severability. In accordance with ARSD 74:36:04:15(11), any portion of this permit that is void or challenged shall not affect the validity of the remaining permit requirements.
- **1.7 Permit termination, modification, or revocation.** In accordance with ARSD 74:36:04:27, the Secretary may recommend that the Board of Minerals and Environment terminate, modify, or revoke this permit for violations of SDCL 34A-1 or the federal Clean Air Act or for nonpayment of any outstanding enforcement penalty.

#### 2.0 PERMIT AMENDMENT AND MODIFICATION CONDITIONS

**2.1 Permit flexibility.** In accordance with ARSD 74:36:04:18, the owner or operator shall have the flexibility to make changes to the source during the term of this permit. The owner or operator shall provide the Secretary written notice at least seven days in advance of the proposed change. The written notice shall include a brief description of the change, the date on which the change is to occur, any change in emissions, the proposed changes to the permit, and whether the requested revisions are for an administrative permit amendment, minor permit amendment, or permit modification.

The Secretary will notify the owner or operator whether the change is an administrative permit amendment, a minor permit amendment, or a permit modification. A proposed change that is considered an administrative permit amendment or a minor permit amendment can be completed immediately after the Secretary receives the written notification. The owner or operator must comply with both the applicable requirements governing the change and the proposed permit terms and conditions until the Secretary takes final action on the proposed change.

A proposed change that is considered a modification can not be constructed until the Secretary takes final action on the proposed change. Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

- **2.2** Administrative permit amendment. In accordance with ARSD 74:36:04:20, the Secretary has 15 days from receipt of a written notice to verify that the proposed change is an administrative permit amendment. As provided in ASRD 74:36:01:03, the Secretary considers a proposed change an administrative permit amendment if the proposed change accomplishes one of the following:
- 1. Corrects typographical errors;

- 2. Changes the name, address, or phone number of any person identified in this permit or provides a similar minor administrative change at the source;
- 3. Requires more frequent monitoring or reporting by the source;
- 4. The ownership or operational control of a source changes and the Secretary determines that no other change in this permit is necessary. However, the new owner must submit a certification of applicant form and a written statement specifying the date for transfer of operating permit responsibility, coverage, and liability; or
- 5. Any other change that the Secretary determines to be similar to those requirements in this condition.
- **2.3 Minor permit amendment.** In accordance with ARSD 74:36:04:20.04, the Secretary has 90 days from receipt of a written notice to take final action on a minor permit amendment. Final action consists of issuing or denying a minor permit amendment or determining that the proposed change is a permit modification. As provided in ASRD 74:36:04:20:02, the Secretary considers a proposed change to be a minor permit amendment if the proposed change:
- 1. Does not violate any applicable requirements;
- 2. Does not involve significant changes to existing monitoring, reporting, or record keeping requirements;
- 3. Does not require or change a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
- 4. Does not seek to establish or change a permit term or condition for which the source has assumed to avoid an applicable requirement, a federally enforceable emission cap, or an alternative emission limit. An alternative emission limit is approved pursuant to regulations promulgated under section 112(i)(5) of the federal Clean Air Act.
- **2.4 Permit modification.** In accordance with ARSD 74:36:04:21, an owner or operator may apply for a permit modification. A permit modification is defined in ARSD 74:36:01:10 as a physical change in or change in the operation of a source that results in at least one of the following:
- 1. An increase in the amount of an air pollutant emitted by the source or results in the emission of an air pollutant not previously emitted;
- 2. A significant change to existing monitoring, reporting, or record keeping requirements in the permit;
- 3. The change requires or changes a case-by-case determination of an emission limit or other standard, a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis; or
- 4. The change seeks to establish or change a permit term or condition for which there is a corresponding underlying applicable requirement that the source has assumed to avoid an applicable requirement, a federally enforceable emissions cap assumed to avoid classification

as a modification under a provision of the Title I of the Clean Air Act, or an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act.

Permit modifications are subject to the same procedural requirements, including public comment, as the original permit issuance except that the required review shall cover only the proposed changes.

- **2.5 Permit revision.** In accordance with ARSD 74:36:04:23, the Secretary may reopen and revise this permit to meet requirements of SDCL 34A-1 or the federal Clean Air Act. In accordance with ARSD 74:36:04:24, the Secretary shall notify the owner or operator at least 30 days before reopening this permit. The 30-day period may be less in the case of an emergency.
- **Testing new fuels or raw materials.** In accordance with ARSD 74:36:11:04, an owner or operator may request permission to test a new fuel or raw material to determine if it is compatible with existing equipment before requesting a permit amendment or modification. A complete test proposal shall consist of the following:
- 1. A written proposal that describes the new fuel or raw material, operating parameters, and parameters that will be monitored and any testing associated with air pollutant emissions during the test;
- 2. An estimate of the type and amount of regulated air pollutant emissions that will result from the proposed change; and
- 3. The proposed schedule for conducting the test.

The Secretary shall approve, conditionally approve, or deny in writing the test proposal within 45 days after receiving a complete proposal. Approval conditions may include changing the test schedule or pollutant sampling and analysis methods. Pollutant sampling and analysis methods may include, but are not limited to performance testing, visible emission evaluation, fuel analysis, dispersion modeling, and monitoring of raw material or fuel rates.

If the Secretary determines that the proposed change will result in an increase in the emission of a regulated air pollutant or result in the emission of an additional regulated air pollutant, the Secretary shall give public notice of the proposed test for 30 days. The Secretary shall consider all comments received during the 30-day public comment period before making a final decision on the test.

The Secretary will not approve a test if the test would cause or contribute to a violation of a national ambient air quality standard.

## 3.0 PERMIT RENEWAL REQUIREMENTS

- **3.1 Permit effective.** In accordance with ARSD 74:36:04:05, this permit shall expire five years from date of issuance unless reopened or terminated for cause.
- **3.2 Permit renewal.** In accordance with ARSD 74:36:04:06, the owner or operator shall submit an application for a permit renewal at least 90 days before the date of permit expiration if the owner or operator wishes to continue an activity regulated by this permit. The current permit shall not expire and shall remain in effect until the Secretary takes final action on the timely permit renewal application.
- **3.3 Permit expiration.** In accordance with ARSD 74:36:04:16, permit expiration terminates the owner's or operator's right to operate any unit covered by this permit.

## 4.0 RECORDKEEPING AND REPORTING REQUIREMENTS

**Recordkeeping and reporting.** In accordance with ARSD 74:36:04:15(10), the owner or operator shall maintain all monitoring data, records, reports, and pertinent information specified by this permit for five years from the date of sample, measurement, report, or application. The records shall be maintained on site for the first two years and may be maintained off site for the last three years. All records must be made available to the Secretary for inspection. All notifications and reports shall be submitted to the following address:

South Dakota Department of Environment and Natural Resources PMB 2020
Air Quality Program
523 E. Capitol, Joe Foss Building
Pierre, SD 57501-3181

- **4.2** Signatory requirements. In accordance with ARSD 74:36:04:07, all applications submitted to the Secretary shall be signed and certified by a responsible official. A responsible official is a responsible corporate officer for a corporation or a general partner or the proprietor for a partnership or sole proprietorship, respectively. All reports or other information submitted to the Secretary shall be signed and certified by a responsible official or a duly authorized representative. A person is a duly authorized representative only if:
- 1. The authorization is made in writing by a person described above and submitted to the Secretary; and
- 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.

The responsible official shall notify the Secretary if an authorization is no longer accurate. The new duly authorized representative must be designated prior to or together with any reports or information to be signed by a duly authorized representative.

**4.3** <u>Certification statement.</u> In accordance with ARSD 74:36:04:15(10), all documents required by this permit, including application forms, reports, and compliance certification, must be certified by a responsible official or a duly authorized representative. The certification shall include the following statement:

"I certify that, based on information and belief formed after reasonable inquiry, the statements and information in this document and all attachments are true, accurate, and complete."

- **4.4** Monitoring log. In accordance with ARSD 74:36:04:15(10), the owner or operator must maintain a monitoring log. The monitoring log shall contain the following information:
- 1. Maintenance schedule for each baghouse listed in Table 1-1 of this permit. At a minimum, the maintenance schedule shall meet the manufacturer's recommended schedule for maintenance;
- 2. The following information should be recorded for maintenance:
  - a. Identify the unit;
  - b. The date and time maintenance was performed;
  - c. Description of the type of maintenance;
  - d. Reason for performing maintenance; and
  - e. Initials or signature of person performing maintenance.
- 3. The owner or operator shall maintain relevant records of the occurrence and duration of each startup, shutdown, or malfunction of process equipment and/or air pollution control equipment; and
- 4. The following information should be recorded for each visible emission reading;
  - a. Identify the unit;
  - b. The date and time the visible emission reading was performed;
  - c. If visible emissions were observed;
  - d. Description of maintenance performed to eliminate visible emissions;
  - e. Visible emission evaluation if visible emissions are not eliminated; and
  - f. Signature of person performing visible emission reading and/or visible emission evaluation.
- **4.5** Monthly records. In accordance with ARSD 74:36:04:15(10), the owner or operator shall calculate and record the amount of total suspended particulate and particulate matter 10 microns in diameter or less ( $PM_{10}$ ), in tons, emitted into the ambient air from the permitted units during the month. A 12-month rolling total shall be calculated every month using that month's value and the previous 11 months' values. The amount of  $PM_{10}$  emitted to the ambient air from

permitted units shall be calculated using the most recent performance test that demonstrates compliance with the appropriate particulate matter emission limit, emission factors from the statement of basis, or other methods as approved by the Secretary.

- **4.6 Quarterly report.** In accordance with ARSD 74:36:04:15(10), the owner or operator shall submit a quarterly report to the Secretary by the end of each calendar quarter. The quarterly report shall contain the following information:
- 1. Name of facility, permit number, reference to this permit condition, identifying the submittal as a quarterly report, and calendar dates covered in the reporting period; and
- 2. The quantity of total suspended particulate matter and particulate matter less than or equal to 10 microns in diameter (PM<sub>10</sub>), in tons, in each month and the 12-month rolling total for each month in the reporting period and supporting documentation.

The quarterly reports shall be a continuation of the quarterly reporting required in the previous permit issued April 26, 2010 and must be postmarked no later than 30 days after the end of the reporting period (i.e., April 30<sup>th</sup>, July 30<sup>th</sup>, October 30<sup>th</sup>, and January 30<sup>th</sup>).

**Reporting permit violations.** In accordance with ARSD 74:36:04:15(10), the owner or operator shall report all permit violations. A permit violation should be reported as soon as possible, but no later than the first business day following the day the violation was discovered. The permit violation may be reported by telephone to the South Dakota Department of Environment and Natural Resources at (605) 773-3151 or by FAX at (605) 773-5286.

A written report shall be submitted within five days of discovering the permit violation. Upon prior approval from the Secretary, the submittal deadline for the written report may be extended up to 30 days. The written report shall contain:

- 1. A description of the permit violation and its cause(s);
- 2. The duration of the permit violation, including exact dates and times; and
- 3. The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the permit violation.

The Secretary may waive the written report on a case-by-case basis if the oral report has been received within the reporting period and dependent upon the severity of the permit violation.

#### 5.0 CONTROL OF REGULATED AIR POLLUTANTS

**5.1 Visibility limit.** In accordance with ARSD 74:36:12:01, the owner or operator may not discharge into the ambient air an air contaminant of a density equal to or greater than that designated as 20 percent opacity from any permitted unit, operation, or process listed in Table #1,

unless otherwise specified in this permit. This provision does not apply when the presence of uncombined water is the only reason for failure to meet the requirement.

- **Visibility exceedances.** In accordance with ARSD 74:36:12:02, an exceedance of the operating limit in permit condition 5.1 is not considered a violation during brief periods of soot blowing, start-up, shutdown, or malfunctions. A malfunction is described as any sudden and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. A failure caused entirely or in part by poor maintenance, careless operation, preventable equipment breakdown, or any other cause within the control of the owner or operator of the source is not a malfunction and is considered a violation.
- **5.3** Particulate matter emission limits. In accordance with ARSD 74:36:06:02(1), 74:36:06:03(1), and 74:36:04:15(9), the owner or operator shall not allow the emission of total suspended particulate matter (TSP) and particulate matter 10 microns in diameter or less (PM<sub>10</sub>) in excess of the emission limit specified in Table 5-1 and 5-2, respectively, for the appropriate permitted unit, operations, and process.

**Table 5-1 – Total Suspended Particulate Matter Emission Limit** 

Unit	Description	TSP
#8	BH-18 – Bulk bag loader	0.02 grains per dry standard cubic foot
#12	<b>BH-43</b> – Side tank bin vents	0.02 grains per dry standard cubic foot
#25	<b>BL-01</b> – Bethlehem boiler	0.6 pounds per million Btus heat input
#26	<b>BK-02</b> – Blaw-Knox dryer #2	1.3 pounds per hour
#27	<b>BK-03</b> – Blaw-Knox dryer #3	1.3 pounds per hour
#28	WP-01 –Mikro ACM pulverizer	0.02 grains per dry standard cubic foot
#29	WP-05 – Agglomerate dryer	0.02 grains per dry standard cubic foot

Table 5-2 – PM<sub>10</sub> Emission Limit

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Unit	Description	TSP
#8	BH-18 – Bulk bag loader	0.02 grains per dry standard cubic foot <sup>1</sup>
#12	<b>BH-43</b> – Side tank bin vents	0.02 grains per dry standard cubic foot <sup>1</sup>
#25	<b>BL-01</b> – Bethlehem boiler	0.6 pounds per million Btus heat input <sup>2</sup>
#26	<b>BK-02</b> – Blaw-Knox dryer #2	1.3 pounds per hour <sup>2</sup>
#27	<b>BK-03</b> – Blaw-Knox dryer #3	1.3 pounds per hour <sup>2</sup>
#28	WP-01 –Mikro ACM pulverizer	0.02 grains per dry standard cubic foot <sup>1</sup>
#29	WP-05 – Agglomerate dryer	0.02 grains per dry standard cubic foot <sup>2</sup>

<sup>&</sup>lt;sup>1</sup> – PM<sub>10</sub> emission limit is based on filterables; and

<sup>&</sup>lt;sup>2</sup> – PM<sub>10</sub> emission limit is based on filterables and condensibles.

- **Plantwide particulate matter emission limit.** In accordance with ARSD 74:36:04:15(9), the owner or operator shall limit total suspended particulate matter emissions from the permitted equipment in Table 1-1 to less than or equal to 238 tons per 12-month rolling period. The owner or operator shall limit emissions of particulate matter less than or equal to 10 microns in diameter (PM<sub>10</sub>) from the permitted equipment in Table 1-1 to less than or equal to 95 tons per 12-month rolling period.
- **5.5** Sulfur dioxide limits. In accordance with ARSD 74:36:06:02(2) and 74:36:06:03(2), the owner or operator shall not allow the emission of sulfur dioxide in excess of the emission limit specified in Table 5-3 for the appropriate permitted unit, operations, and process.

Table 5-3 – Sulfur Dioxide Emission Limit

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Unit	Description	<b>Emission Limit</b>
#25	<b>BL-01</b> – Bethlehem boiler	3.0 pounds per million Btu heat input
#29	<b>WP-05</b> – Agglomerate dryer	3.0 pounds per million Btu heat input

Compliance with the sulfur dioxide emission limit is based on a three-hour rolling average, which is the arithmetic average of three contiguous one-hour periods.

- **Circumvention not allowed.** In accordance with ARSD 74:36:04:31, the owner or operator may not install, use a device, or use a means that conceals or dilutes an air emission that would otherwise violate this permit. This includes operating a unit or control device that emits air pollutants from an opening other than the designed stack, vent, or equivalent opening.
- **5.7 Minimizing emissions.** In accordance with ARSD 74:36:04:15(9), the owner or operator shall at all time, when practicable, maintain and operate all permitted units in a manner that minimizes air pollution emissions.

### 6.0 PERFORMANCE TESTS

- **6.1 Performance test may be required.** In accordance with ARSD 74:36:11:02, the secretary may request a performance test. A performance test shall be conducted while operating the unit at or greater than 90 percent of its maximum design capacity, unless otherwise specified by the Secretary. A performance test that is conducted while operating at less than 90 percent of its maximum design capacity will result in the operation being limited to the percent achieved during the performance test. The Secretary has the discretion to extend the deadline for completion of the performance test required by the Secretary if circumstances reasonably warrant but will not extend the deadline past a federally required performance test deadline.
- **Test methods and procedures.** In accordance with ARSD 74:36:11:01, the owner or operator shall conduct the performance test in accordance with 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M. The Secretary may approve an

alternative method if a performance test specified in 40 CFR Part 60, Appendix A, 40 CFR Part 63, Appendix A, and 40 CFR Part 51, Appendix M is not applicable or required.

- **Representative performance test.** In accordance with ARSD 74:36:07:01, as referenced to 40 CFR § 60.8(c), performance tests shall be conducted under such conditions as the Secretary shall specify to the owner or operator based on the representative performance of the unit being tested. The owner or operator shall make available to the Secretary such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in this permit.
- **Submittal of test plan.** In accordance with ARSD 74:36:11:01, the owner or operator shall submit the proposed testing procedures to the Secretary at least 30 days prior to any performance test. The Secretary will notify the owner or operator if the proposed test procedures are approved or denied. If the proposed test procedures are denied, the Secretary will provide written notification that outlines what needs to be completed for approval.
- **Notification of test.** In accordance with ARSD 74:36:11:03, the owner or operator shall notify the Secretary at least 10 days prior to the start of a performance test to arrange for an agreeable test date when the Secretary may observe the test. The Secretary may extend the deadline for the performance test in order to accommodate schedules in arranging an agreeable test date.
- **6.6 Performance test report.** In accordance with ARSD 74:36:04:15(10), the owner or operator shall submit a performance test report to the Secretary within 60 days after completing the performance test or by a date designated by the Secretary. The performance test report shall contain the following information:
- 1. A brief description of the process and the air pollution control system being tested;
- 2. Sampling location description(s):
- 3. A description of sampling and analytical procedures and any modifications to standard procedures;
- 4. Test results;
- 5. Quality assurance procedures and results;
- 6. Records of operating conditions during the test, preparation of standards, and calibration procedures;
- 7. Raw data sheets for field sampling and field and laboratory analyses;
- 8. Documentation of calculations;
- 9. All data recorded and used to establish parameters for compliance monitoring; and
- 10. Any other information required by the test method.

#### 7.0 MONITORING

- **7.1 Periodic monitoring.** In accordance with ARSD 74:36:13:07, the owner or operator shall demonstrate compliance with the opacity limits in permit condition 5.1 on a periodic basis. Periodic monitoring shall be based on the amount of visible emissions from each unit and evaluated according to the following steps:
- **Step 1:** If there are no visible emissions from a unit subject to an opacity limit, periodic monitoring shall consist of a visible emission reading. A visible emission reading shall consist of a visual survey of each unit over a two-minute period to identify if there are visible emissions. The visible emission reading must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions. Visible emission readings on each unit subject to an opacity limit in permit condition 5.1 shall be based on the following frequency:
- a. The owner or operator shall conduct a visible emission reading once per calendar month;
- b. If no visible emissions are observed from a unit in six consecutive monthly visible emission readings, the owner or operator may decrease the frequency of readings from monthly to semiannually for that unit; or
- c. If no visible emissions are observed from a unit in two consecutive semiannual visible emission readings, the owner or operator may decrease the frequency of testing of readings from semiannually to annually for that unit.
- **Step 2:** If visible emissions are observed from a unit at any time other than periods of startup, shutdown, or malfunction, the owner or operator shall conduct a visible emission test on that unit to determine if the unit is in compliance with the opacity limit specified in permit condition 5.1. The emission test shall be for six minutes and conducted in accordance with 40 CFR Part 60, Appendix A, Method 9. The visible emission tests must be conducted while the unit is in operation; but not during periods of startup, shutdown, or malfunctions. Visible emission tests shall be based on the following frequency:
- a. The visible emission test must be conducted within one hour of witnessing a visible emission from a unit during a visible emission reading;
- b. If the visible emission test required in Step 2(a) results in an opacity value less than or equal to 50 percent of the opacity limit for the unit, the owner or operator shall perform a visible emission test once per month;
- c. If the opacity value of a visible emission test is less than five percent for six straight monthly tests, the owner or operator may revert back to monthly visible emission readings as required in Step 1;
- d. If the visible emission test required in Steps 2(a) or 2(b) results in an opacity value greater than 50 percent of the opacity limit but less than the opacity limit, the owner or operator shall perform a visible emission test once per week; or

e. If the visible emission test in Step 2(d) results in an opacity value less than or equal to 50 percent of the opacity limit for six straight weekly readings, the owner or operator may revert back to a monthly visible emission test as required in Step 2(b).

The person conducting the visible emission test must be certified in accordance with 40 CFR Part 60, Appendix A, Method 9. If a visible emission test is required before a person is certified in accordance with permit condition 8.3, the owner or operator shall notify the Secretary within 24 hours of observing the visible emissions to schedule a visible emission test performed by a state inspector.

**7.2** Certified personnel – visible emission tests. In accordance with ARSD 74:36:13:07, the owner or operator shall retain a person that is certified to perform a visible emission test in accordance with 40 CFR Part 60, Appendix A, Method 9. The owner or operator shall retain a certified person throughout the remaining term of this permit.

#### 8.0 EXEMPTIONS

**8.1** Exemption from PSD and Title V permit programs. In accordance with ARSD 74:36:04:15(9), the owner or operator is exempt from needing a Prevention of Significant Deterioration preconstruction air quality permit and Title V air quality operating permit. The exemption is due to operational limits in this permit that maintain particulate matter air pollutant emissions less than 100 tons per year. Any relaxation in the operational restriction may require the source to obtain a Prevention of Significant Deterioration preconstruction air quality permit and/or a Title V air quality operating permit before the modification occurs.